

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, September 15, 2020

3:00 PM

Virtual Meeting Packet

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
September 14, 2020 – September 21, 2020**

Monday, September 14

Commission for People with Disabilities.....11:00 am
Video Teleconference

Tuesday, September 15

General Government & Social Services Committee.....1:00 pm
Video Teleconference

Special Council Meeting (2nd Reading Ad Valorem).....3:00 pm
Video Teleconference

Council Work Session.....Immediately following Special Council Meeting
Video Teleconference

Wednesday, September 16

No Meetings

Thursday, September 17

Corridors Commission.....12:00 pm
Video Teleconference

Friday, September 18

No Meetings

Monday, September 21

No Meetings

**Lexington-Fayette Urban County Council
Work Session Agenda
September 15, 2020**

- I. Public Comment - Issues on Agenda – Suspended until further notice**
- II. Requested Rezoning/ Docket Approval – No**
- III. Approval of Summary – Yes, p. 1-3**
 - a** Table of Motions: Council Work Session, September 1, 2020
- IV. Budget Amendments – No**
- V. New Business – Yes, p. 4-19**
- VI. Continuing Business/ Presentations – Yes**
 - a** Neighborhood Development Funds: September 15, 2020, p. 20
 - b** Committee Summary: General Government & Social Services, August 11, 2020, p. 21-24
 - c** Presentation: Public Comment Recommendations, p. 25-27
 - d** Presentation: Hazard Mitigation Plan, p. na
- VII. Council Reports**
- VIII. Mayor's Report – No**
- IX. Public Comment - Issues Not on Agenda – Suspended until further notice**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **0832-20** Authorization to execute a Purchase of Service Agreement with Bluegrass Area Development District for regional match to state Homecare funds, in the amount of \$48,610. This agreement provides in-home assistance for low-income, home-bound seniors in Fayette County. Funds are budgeted. (L0832-20) (Stambaugh/Ford) p. 4
- b** **0847-20** Authorization to add one additional license under an existing agreement with Benevate Inc., for the use of Neighborly Software at a cost of \$1,090 to expand use of the software in the Division of Grants & Special Programs. Funds are budgeted. (L0847-20) (Lanter/Hamilton) p. 5
- c** **0852-20** Authorization to execute an application from the Kentucky Department of Education (KDE) for Preschool Education Services for the Family Care Center. This application allows the Family Care Center to provide Preschool Education Services for the 2020-2021 school year. These services under Kentucky Administrative Regulations (KAR) include the Preschool Education Program, KY All STARS 5-STAR Tiered Quality Rating and Improvement Status, parent outreach, related services by licensed professionals for children with disabilities, transportation, and food services. No budgetary impact. (L0852-20) (Rodes/Ford) p. 6
- d** **0853-20** Authorization to execute a Purchase of Service Agreement with Stantec Consulting, Inc. for the development of an objective process to guide decisions regarding the future alignment of the Urban Service Boundary, at a cost not to exceed \$150,000. Funds are budgeted. (L0853-20) (Atkins) p. 7-8
- e** **0854-20** Authorization to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the Southeastern Hills Trunk Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$25,600.00. Funds are budgeted. (L0854-20) (Martin/Albright) p. 9-10
- f** **0855-20** Authorization to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the New Circle Road Trunks A & B Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$51,000.00. Funds are budgeted. (L0855-20) (Marting/Albright) p. 11-12
- g** **0866-20** Authorization to establish Zoll, vendor of cardiac monitors as a sole source provider for the Division of Fire and Emergency Services, not to exceed \$180,294.40. Zoll is the only manufacturer and capable supplier. Funds are budgeted. (L0866-20) (Chilton/Armstrong) p. 13

- h** **0869-20** Authorization to execute Change Order No. 1 (Final) to the agreement with The Allen Company, Inc., for the Elizabeth Street and Forest Park Site Improvements Project, decreasing the contract price by the sum of \$17,166.49, from \$179,185.10 to \$162,018.61. (L0869-20) (Martin/Albright) p. 14-18
- i** **0878-20** Authorization to execute a Purchase of Service Agreement (PSA) with the Lyric Theatre to support facility operation, provide a venue for community groups and organizations presenting cultural entertainment, provide the LFUCG with free use of the Lyric for up to six purposes and present signature programming beginning July 1 2020 for a period of twelve months at a cost not to exceed \$127,500. Funds are budgeted. (0878-20) (Lyons/Scott) p. 19

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
SEPTEMBER 1, 2020**

Mayor Gorton called the meeting to order at 3:27pm, announcing that the meeting was starting late due to technical issues. All Council Members were present.

Gorton opened the meeting with the following statement: “Due to the COVID-19 pandemic and State of Emergency, this meeting is being held via video teleconference pursuant to 2020 Senate Bill 150, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.”

I. Requested Rezoning/Docket approval

Motion by Plomin to approve the docket for the September 3, 2020 Council meeting. Seconded by Mossotti. Motion passed without dissent as amended.

Kay made the following motions for resolutions related to the Household Assistance Program:

Motion by Kay to place on the docket for the September 3, 2020 Council meeting, a resolution authorizing the Mayor to execute 8 purchase of service agreements and any necessary amendments with the following housing stabilization partners to provide rental assistance and/or relocation services to the public, with an administrative fee not to exceed 10% and payment of 50% of the funding to be withheld until the partner has established satisfactory performance and additional need: (1) Urban League of Lexington-Fayette County, Inc. (up to \$220,000), (2) Step by Step, Inc. (up to \$66,000), (3) Catholic Charities of the Diocese of Lexington, Inc. (up to \$220,000), (4) AVOL Kentucky, Inc. (up to \$176,000), (5) Greenhouse17, Inc. (up to \$220,000), (6) The Nest – Center for Women, Children and Families (up to \$220,000), (7) New Life Day Center, Inc. (up to \$110,000), and (8) Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (up to \$220,000), at a total cost not to exceed \$1,452,000. Seconded by Reynolds. Motion passed without dissent.

Motion by Kay to place on the docket for the September 3, 2020 Council meeting, a resolution authorizing the Mayor, to execute a Memorandum of Agreement with the Blue Grass Community Foundation and the United Way of the Bluegrass, Inc., to provide funding for the Coronavirus Response Fund, to provide food relief, in an amount not to exceed \$100,000. Seconded by Plomin. Motion passed without dissent.

Motion by Kay to place on the docket for the September 3, 2020 Council meeting, a resolution authorizing the Mayor, to execute a purchase of service agreement with the Lexington-Fayette Urban County Housing Authority to provide an Affordable Housing Market Partnership for rental assistance to benefit Housing Choice Voucher Program participants, in an amount not to exceed \$100,000. Seconded by Reynolds. Motion passed without dissent.

Motion by Mossotti to place on the Council Meeting docket for Thursday, September 3, 2020 under Resolutions – First Reading, a Resolution authorizing and directing the Mayor to accept three (3) grants from the Kentucky Transportation Cabinet, Office of Highway Safety, which

grant funds are in the amount of \$162,783.00 in Federal funds and are for Police Traffic Services Enforcement – FY 2021, the Occupant Protection Program, and the Impaired Driving Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds. Seconded by Ellinger. Motion passed without dissent.

II. **Approval of summary**

Motion by Kay to approve the August 25, 2020 Work Session summary. Seconded by McCurn. Motion passed without dissent.

III. **Budget Amendments**

Motion by Plomin to approve budget amendments. Seconded by Kay. Motion passed without dissent.

IV. **New Business**

Motion by Ellinger to approve new business. Seconded by Lamb. Motion passed without dissent.

V. **Continuing Business**

Motion by Lamb to approve Council capital projects. Seconded by Kay. Motion passed without dissent.

Motion by Plomin to approve neighborhood development funds. Seconded by Reynolds. Motion passed without dissent

Council Member Farmer provided a summary of the July 7, 2020 Environmental Quality and Public Works Committee meeting. There were no motions to report from the meeting.

Commissioner Bill O'Mara and Melissa Lueker, Budget Director, presented the 2020 Ad Valorem options.

Motion by Bledsoe to set the General Services Fund ad valorem **real property tax** rate at Option 1. Seconded by McCurn. Motion passed without dissent.

Motion by Bledsoe to set the General Services Fund ad valorem **personal property tax** rate including public service companies, noncommercial aircraft and noncommercial watercraft, at Option 1. Seconded by Ellinger. Motion passed without dissent.

Motion by Bledsoe to maintain the prior year ad valorem tax rates for **motor vehicles, tobacco in storage, agricultural products in storage, insurance companies' capital, and abandoned urban property**. Seconded by Reynolds. Motion passed without dissent.

Motion by Bledsoe to set the Urban Services Fund – **Refuse Collection** ad valorem real property tax rate at Option 1. Seconded by Plomin. Motion passed without dissent.

Motion by Bledsoe to set the Urban Services Fund – **Street Lights** ad valorem real property tax rate at Option 1. Seconded by Higgins-Hord. Motion passed without dissent.

Motion by Bledsoe to set the Urban Services Fund – **Street Cleaning** ad valorem real property tax rate at Option 1. Seconded by Plomin. Motion passed without dissent.

Motion by Bledsoe to set the Urban Services Fund – **Public Service Companies** ad valorem tax rate at 1. Seconded by Ellinger. Motion passed without dissent.

Motion by Bledsoe to place on the docket for the Thursday September 3, 2020 Council meeting an ordinance pertaining to all of the tax rates for general services and urban services and levying them at these rates on each \$100 of assessed valuation. Seconded by Reynolds. Motion passed without dissent.

Motion by Bledsoe to set the **public health** ad valorem real property tax rate at \$0.028 and the **public health** ad valorem personal property tax rate at \$0.028, and to place an ordinance on the docket for the Thursday September 3, 2020 Council meeting levying the taxes at these rates on each \$100 of assessed valuation. Seconded by Higgins-Hord. Motion passed without dissent.

Motion by Bledsoe to set the **soil and water conservation district** ad valorem real property tax rate at \$0.0006, and to place an ordinance on the docket for the Thursday September 3, 2020 Council meeting levying the tax at this rate on each \$100 of assessed valuation. Seconded by Kay. Motion passed without dissent.

Motion by Bledsoe to set the **agricultural extension office** ad valorem real property tax rate at \$0.0035, the **agricultural extension office** ad valorem personal property tax rate at \$0.0041, and the **agricultural extension office** ad valorem motor vehicles and watercraft tax rate at \$.0032 and to place an ordinance on the docket for the Thursday September 3, 2020 Council meeting levying the taxes at these rates on each \$100 of assessed valuation. Seconded by Plomin. Motion passed without dissent.

VI. Council Reports

Motion by J. Brown to place into the General Government and Social Services Committee a complete review of youth services. Seconded by Lamb. Motion passed without dissent.

VII. Mayor's Report

Motion by Lamb to approve the Mayor's report. Seconded by Ellinger. Motions passed without dissent.

VIII. Adjournment

Motion by Lamb to adjourn at 4:27pm. Seconded by Plomin. Motion passed without dissent.



LEXINGTON

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Chris Ford, Commissioner of Social Services

DATE: August 25, 2020

SUBJECT: Purchase of Service Agreement with Bluegrass Area Development District
Homecare Program — Grant Match

Request:

Request Council Authorization for the Mayor to execute a Purchase of Service Agreement with Bluegrass Area Development District for regional match to state Homecare funds.

Why are you requesting?

LFUCG's contribution represents grant match to the state-funded Homecare program. Bluegrass ADD operates the Homecare Program, which provides in-home assistance for low-income, home-bound seniors in Fayette County.

What is the cost in this budget year and future budget years?

The cost for Fiscal Year 2021 is \$48,610. The cost for future fiscal years will be based on the amount of available state Homecare funds.

Are the funds budgeted?

Yes, in account 1101-900302-0001-71101.

File Number: 0832-20

Director/Commissioner: Kristy Stambaugh / Chris Ford





TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: CHARLIE LANTER, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: AUGUST 27, 2020

SUBJECT: Request Council authorization to add 1 additional licenses for Neighborly Software in the amount of \$1,090 to utilize for grants and program administration.

Request: Council authorization to add 1 additional license under an existing agreement with Benevate Inc., for the use of Neighborly Software at a cost of \$1,090 to expand use of the software in the Division of Grants & Special Programs.

Purpose: On September 12, 2019 (Resolution 484-2019), Council authorized execution of a contract with Benevate, Inc., for implementation of Neighborly Software in the Division of Grants and Special Programs. This software is used for program and financial administration of the division's federally funded housing rehabilitation program and for long-term compliance monitoring and inspection of HOME and CDBG-assisted rental units. Benevate, Inc., was selected in response to Request for Proposals (RFP # 23-2019) issued in June 2019 for software for HUD Community Development Programs. During implementation it was determined the software could be used for additional functions in the division requiring additional staff members to have a license for its use.

What is the cost in this budget year and future budget years?

The cost for this FY is: \$1,090

The cost for future FY is: \$1,090

Are the funds budgeted? Yes. Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCOUNT	PROJECT	BUD REF	ACTIVITY	AMOUNT
3120	160201	0001	71299	CDBG_2020	2020	C14H	\$1,090

File Number: 0847-20

Director/Commissioner: Lanter/Hamilton





LEXINGTON

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Chris Ford, Commissioner of Social Services

DATE: August 31, 2020

SUBJECT: Preschool Education Services Application
Kentucky Department of Education (KDE)

Request:

Request Council Authorization for the Mayor to execute an application from the Kentucky Department of Education (KDE) for Preschool Education Services for the Family Care Center.

Purpose:

This application allows the Family Care Center to provide Preschool Education Services for the 2020-2021 school year. These services under Kentucky Administrative Regulations (KAR) include the Preschool Education Program, KY All STARS 5 STAR Tiered Quality Rating and Improvement Status, parent outreach, related services by licensed professionals for children with disabilities, transportation, and food services.

Budgetary Implication:

There are no budgetary implications with this application.

Are the funds budgeted?

There is no cost associated with this application.

File Number: 0852-20

Director/Commissioner: Joanna Rodes / Chris Ford





LEXINGTON

TO: Mayor Linda Gorton
Urban County Council

FROM: Craig Bencz, Admin. Officer, Sr.

CC: Kevin Atkins, Chief Development Officer

DATE: August 28, 2020

SUBJECT: Purchase of Service Agreement – Sustainable Growth Study

Request

Request Council authorization to execute a Purchase of Service Agreement with Stantec Consulting, Inc. for the development of an objective process to guide decisions regarding the future alignment of the Urban Service Boundary.

Reason for Request

Request for Proposal (“RFP”) No. 13-2020 was advertised in July 2020 for the purpose of seeking proposals from qualified professional planning firms to complete a comprehensive study and develop an objective process to guide long-term land use decisions involving the Urban Service Boundary. This study is being completed in compliance with Theme E, Goal 4 of the Comprehensive Plan, and will supersede Theme E, Goal 3 upon its completion. Stantec Consulting, Inc. was chosen by the selection committee at the conclusion of the RFP process.

What is the cost in this budget year and future budget years?

The cost for this FY is: \$150,000

The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted.

Account number: 1105-160701-0001-71299



File Number:

Director/Commissioner: Atkins



MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Charles H. Martin, P.E., Director
Division of Water Quality

DATE: August 28, 2020

SUBJECT: Easement Acquisition for the Southeastern Hills Trunk Project (WH-9)
Consent Decree (RMP)

Request

The purpose of this memorandum is to request a resolution authorizing the acceptance of deeds of easements from the owners of record on properties needed for the construction of the Southeastern Hills Trunk Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$25,600.00.

Purpose of Request

The requested resolution will provide funds for the purchase of temporary and permanent easements on thirty-three (33) affected parcels.

Project Cost in FY21

The cost to acquire the necessary easements will not exceed \$25,600.00.

Are Funds Budgeted

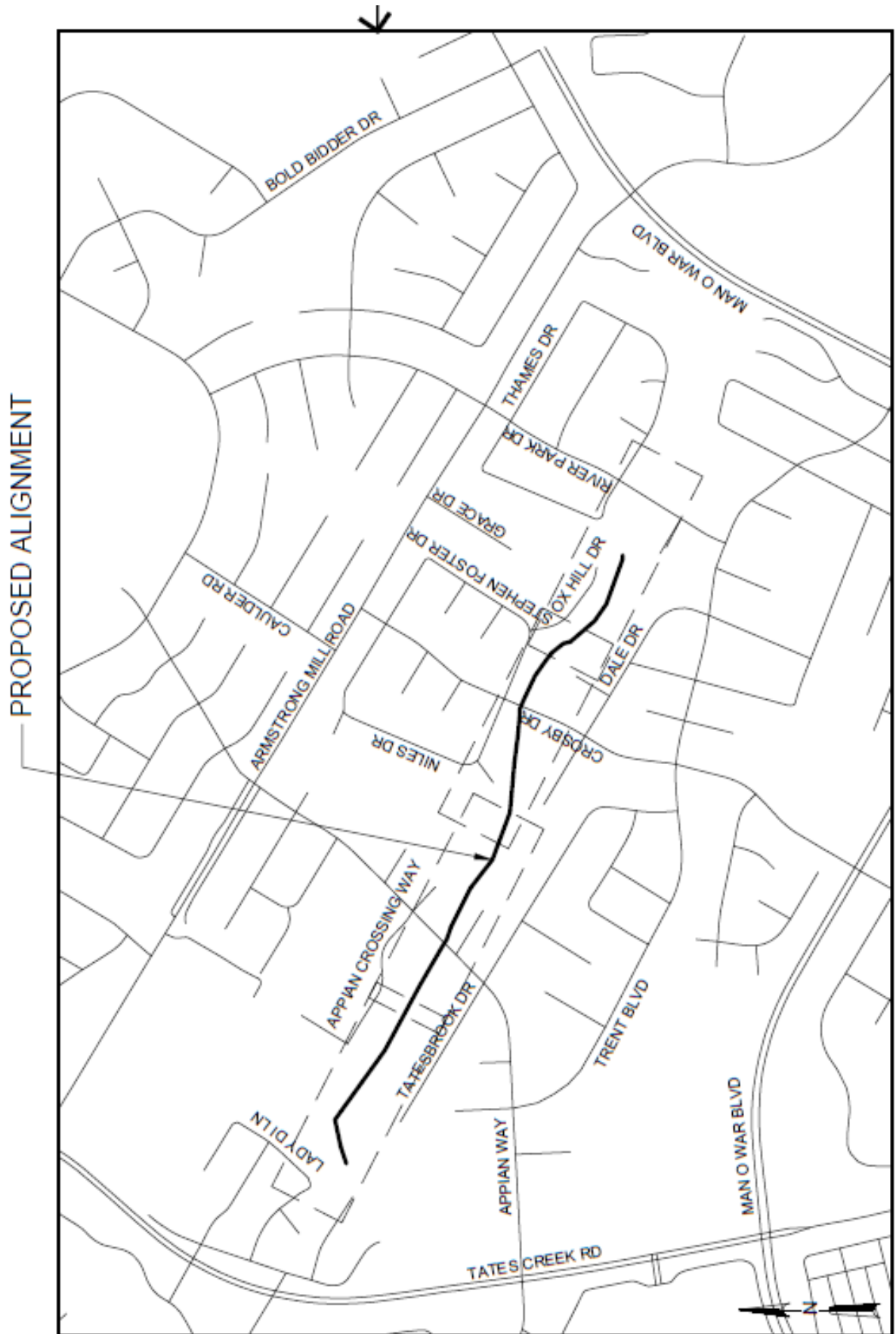
The funds are budgeted in 4003-303408-3466-92811 SEHILLSTRK_2020 CONSENT_DE 2020

Director / Commissioner

Martin / Albright



Project Location Map



MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Charles H. Martin, P.E., Director
Division of Water Quality

DATE: August 28, 2020

SUBJECT: Easement Acquisition for the New Circle Road Trunks A & B Project (CR-14 and CR-15)
Consent Decree (RMP)

Request

The purpose of this memorandum is to request a resolution authorizing the acceptance of deeds of easements from the owners of record on properties needed for the construction of the New Circle Road Trunk A & B Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$51,000.00.

Purpose of Request

The requested resolution will provide funds for the purchase of temporary and permanent easements on eighteen (18) affected parcels.

Project Cost in FY21

The cost to acquire the necessary easements will not exceed \$51,000.00.

Are Funds Budgeted

The funds are budgeted in 4003-303408-3466-92811 NEWCIR_TRUNK_A CONSENT_DE 2019

Director / Commissioner

Martin / Albright



New Circle Road Trunks A and B (RMP Project Nos. CR14 and CR15)

Project Location Map





TO: Mayor Linda Gorton
FROM: Kristin Chilton, Fire Chief
DATE: September 1, 2020
SUBJECT: Sole Source, Zoll

The Division of Fire and Emergency Services request authorization to establish ZOLL as a sole source vendor for the cardiac monitors the division purchases.

Why are you requesting? ZOLL has been the standard equipment provider for the Division of Fire and Emergency Services for decades. ZOLL is the only manufacturer of the cardiac monitors and the only capable supplier.

Department needs this action completed because: The division needs this in order to purchase cardiac monitors as part of our annual replacement process. Making ZOLL a sole source will increase the discount in pricing that they give the division.

What is the cost in this budget year and future budget years?

The cost for this FY is: \$180,294.40

The cost for future FY is: \$250,000.00

Are the funds budgeted? Yes

The funds are budgeted or a budget amendment is in process: Yes

Account number: 2610 505702 5712 95601-\$180,000.00

1101 505702 5712 75801-\$294.40

File Number:

Director/Commissioner: Chilton/Armstrong



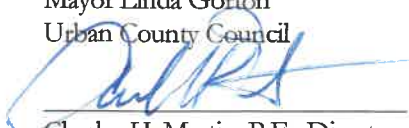
MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Charles H. Martin, P.E., Director
Division of Water Quality

DATE: August 24, 2020

SUBJECT: Change Order No. 1 (Final) – Elizabeth St. and Forest Park Site Improvements, Contract No. 046-2020

Request

The Division of Water Quality requests authorization to execute Change Order No. 1 (Final) to the agreement with The Allen Company, Inc. for the Elizabeth St. & Forest Park Site Improvements Project, decreasing the contract price by the sum of \$17,166.49 from \$179,185.10 to \$162,018.61.

Why are you requesting?

The requested change provides additional sidewalk and curb quantities necessary for site improvements which include adequate drainage and curb repair and reflects the deletion of bid items deemed unnecessary for project completion.

What is the cost in this budget year and future budget years?

The cost for this FY is: N/A
The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted in: 4052-303204-3334-92211 2020 LFUCG ELIZFOREST_2020 CONSTRUCT

Martin / Albright



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER

DATE: August 24, 2020
 Contract Modification: No. 1 Final
 CONTRACT #: 046-2020

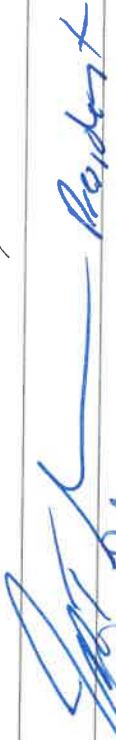
PROJECT: Elizabeth St. and Forest Park Site Improvements

TO: The Allen Company, Inc.
 3009 Atkinson Ave Ste 300
 Lexington, KY 40509

Original Contract Amount	\$179,185.10
Cumulative Amount of Previous Contract Modifications	
Percent Change of Previous Contract Modifications	0%
Existing Contract Amount	\$179,185.10
Net (increase/decrease) in Contract Amount - (From following pages)	-\$17,166.49
Percent Change of This Contract Modification	-10%
Original Contract Amount	\$179,185.10
Cumulative Amount of all Contract Modifications	-\$17,166.49
Percent Change of all Contract Modifications	-10%
New Contract Amount Including this Change Order	\$162,018.61

Recommended by  (Proj. Engr.) Date 8/31/2020

Accepted by _____ (Consultant) Date _____

Accepted by  (Contractor) Date 8/27/20

Approved by  (Director) Date 9/2/20

Approved by _____ (Commissioner) Date _____

Approved by _____ (Mayor or CAO) Date _____

JUSTIFICATION FOR CHANGE

PROJECT:	Elizabeth St. & Forest Park Site Improvements
CONTRACT NO.	046-2020
CHANGE ORDER:	No. 1 Final

1. Necessity for change: To provide additional sidewalk and curb quantities necessary to provide site improvements such as adequate drainage and curb repairs. To delete bid items that were not necessary for project completion.

2. Is proposed change an alternate bid? ___Yes ___X___ No
3. Will proposed change alter the physical size of the project? ___Yes ___X___ No
If "Yes", explain.

4. Effect of this change on other prime contractors: N/A

5. Has consent of surety been obtained? ___Yes ___X___ Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___Yes ___X___ No
If "Yes", will the policies be extended? ___Yes ___No
7. Effect on operation and maintenance costs: N/A

8. Effect on contract completion date: N/A

Mayor

Date



Project Area (in red)

Elizabeth St. & Forest Park
Site Improvements

Floral Park

Elizabeth St

Audubon Ave

Waller Ave

Crescent

Waller Ave

Elizabeth St

Elizabeth St



TO: Linda Gorton, Mayor
Councilmembers

FROM: Heather Lyons, Mayor's Office

CC: Tyler Scott, Chief of Staff
Sally Hamilton, CAO

DATE: Sept. 8, 2020

SUBJECT: PSA for Lyric Theatre

Authorization to: Move forward with funding support to Lyric Theatre

Why are you requesting? So that the Lyric Theatre can submit their quarterly reports and receive funding.

Department needs this action completed because: The Lyric Theatre Quarterly Reports will be submitted to Heather Lyons, Mayor's Office.

What is the cost in this budget year and future budget years?

The cost for this FY is: \$127,500.00

The cost for future FY is:

Are the funds budgeted? Yes

The funds are budgeted or a budget amendment is in process: Budgeted

Account number: 1101-900107-0001-71101

File Number: 0878-20

Director/Commissioner: Lyons/Scott



**Neighborhood Development Funds
September 15, 2020
Work Session**

Amount	Recipient	Purpose
\$ 500.00	Copperfield Neighborhood Assoc. 1336 Copper Run Blvd. Lexington, KY 40514 Jason Heck	To assist with a neighborhood tree planting.



General Government & Social Services Committee

August 11, 2020

Summary and Motions

Committee chair, Susan Lamb, called the meeting to order at 1:06 p.m. Committee members Steve Kay, Richard Moloney, Chuck Ellinger, James Brown, Bill Farmer, Lisa Higgins-Hord, Fred Brown, Jennifer Reynolds, and Kathy Plomin were present. Mark Swanson was in attendance as a non-voting member.

Kay read the following statement: “Due to the COVID-19 pandemic, state of emergency and Governor Beshear’s Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.”

I. Selection of the Vice-Chair

Lamb announced that because Angela Evans no longer serves on the council she has selected Kathy Plomin as the new vice-chair; Plomin accepted.

II. Approval of June 9, 2020, Committee Summary

A motion was made by Ellinger to approve the June 9, 2020, General Government & Social Services Committee summary; seconded by Plomin. The motion passed without dissent.

Lamb switched the order of the presentations to hear agenda item four first.

IV. Expand Adult Mental Health Court with an Aftercare Program

Kelley Gunning, NAMI’s Director of Advocacy and Public Affairs, started the presentation by reading a letter on behalf of Judge John Tackett about the success and needs of Fayette Mental Health Court that intervenes in the lives of criminal defendants who suffer from diagnosable and serious mental illness in partnership with the courts and law enforcement. Phill Gunning, NAMI Executive Director, reviewed their proposal to expand FMHC programming at a cost of \$180,000 that focuses on doubling their caseload and the implementation of an aftercare program. He outlined proposed operating expenditures such as technology improvements, totaling about \$18,000. He explained the role of four proposed positions, a total cost of \$162,000, which includes two substance abuse specialists, a technology specialist, and a systems navigator/community liaison. He talked about the benefit of gaining staff who understand the “addict brain”, limited staff capacity, and borrowing administrative support from NAMI. He highlighted the challenges of COVID-19 but said the court is still operating. He spoke about the effects of COVID-19 on folks who suffer from mental illness and two suicides in the last month in their family services program. Last, he emphasized the return on investment that continues to grow.

(A motion by Farmer, seconded by Reynolds, was unanimously approved for an additional five minutes for the presentation.) Heather Matics, Fayette County Attorney Prosecutor, first talked about the value of human life. She touched on the variety of institutions that have failed many of their participants, such as the criminal justice system that wasn’t set up to treat mental health issues. She spoke about the trauma these folks have experienced, explaining how FMHC helps create substitute family support

systems for their participants. She explained a shift in the program to start referring to their 'participants' as 'members'. She talked about the benefit of an aftercare program to continue their newly created support systems.

Reynolds asked how many people the program serves each year. P. Gunning said the number is revolving because there are four phases of the program. Jennifer Van Ort Hazzard explained the average per year is about 25 but pointed out the first few years were slower. P. Gunning estimates the proposal would allow them to serve about 35 to 40 participants at a time and that the cost per participant is far less than if they were stuck in the system. They pointed out the information in the packet that highlights the return on investment. Reynolds concluded the cost per person is about \$8,700, which doesn't factor in the savings.

Plomin asked about the waiting list, which Hazzard explained the waiting period is more associated with the court system. K. Gunning explained the situation as fluid and that people are always in process. They discussed how the aftercare program is being invented based on their knowledge of what the community and their participants need, similar to how they created FMHC in response to the gap in resources in our community. Hazzard added that the fourth phase in their program is what other programs often refer to as their aftercare program. Plomin eluded the depression that's taking place and the effects on folks with mental health issues.

Kay asked Lamb about the intent to consider these proposals in relation to CARES Act funding while mentioning the mayor's proposals and about the process to consider them. Lamb talked about the need to properly vet the proposals. She highlighted the vulnerable population that needs these services and her desire for the council to learn about these new opportunities. Kay talked about avoiding ad hoc budgeting and the importance to set up a process for the council to weigh all of its options.

Moloney mentioned Mary C. Noble's appointment as Secretary of Kentucky's Justice and Public Safety Cabinet while eluding to many empty beds at Eastern State Hospital and asked about outreach to the state legislature. K. Gunning said she worked diligently to get rid of ESH for eight years; recently she reached out to Kentucky's Health and Family Services Cabinet to relieve burdens from the street and police officers. She talked about the fight to get the empty beds at ESH in play and that she would gladly accept Moloney's help; he agreed. Moloney talked about the possibility to get CARES Act funding directly from the state, highlighting his concerns regarding the purpose and use of the city's reimbursement funds and balancing the needs of other non-profits. He doesn't support the use of one-time funds for ongoing expenses but said a number one priority should be to fill those beds.

Connie Milligan explained her expertise with mental health courts and highlighted a ground-swell of conversation about the need for aftercare programs. She pointed out the state finances these hospital beds and state restrictions that limit their use, which has forced the local level to respond. She said an aftercare program will help prevent folks from relapsing and that that local support allows it to be tailored to this community.

John Landon, an attorney who wrote the regulations for FMHC and the juvenile treatment court, spoke about the way in which several constitutional and state standards are interpreted impacting whether an individual can use the hospital. He mentioned Tim's Law (passed in 2017) that allows judges to order outpatient treatment for individuals suffering from serious mental illness without having to go to the hospital but funds were not budgeted to support the adopted legislation. He described the court as

adding another tool for Law Enforcement and that it may be helpful to talk with them; Police has always been at the table for FMHC.

No action was taken under this item. Lamb introduced newly appointed Lisa Higgins-Hord, 6th District Council Member, who is now a member of the committee.

III. Juvenile Treatment Court

Melissa Moore-Murphy, Fayette District Court Judge, said the juvenile treatment court (JTC) is a new court they are trying to start, under the guidance of those who created FMHC. She explained how kids get to court for status offenses (under KRS Chapter 630) and public offenses (under KRS Chapter 635). She said the juvenile court's statutory intent is to reform, repair, and rehabilitate and highlighted the rights of juveniles. Lindsay Hughes-Thurston, Fayette District Court Judge, said the purpose of JTC is to protect our public, to reduce the recidivism rate among juveniles, and increase their overall wellness to thrive. She talked about the reasoning to describe the program as juvenile treatment versus other labels. She said the goal is early intervention; while juvenile court is working, they are seeing many young folks suffering from mental illness.

Hughes-Thurston talked about Adverse Childhood Experiences (ACEs) and consequential statistics, which is driving much of the public offense behavior; she referenced a pyramid chart outlining the impact of ACEs. She reviewed the McArthur Adult Mental Health Court study on the history of trauma that examined the effectiveness of specialty courts and recidivism. Moore-Murphy highlighted missed opportunities to work with youth, the instrumental benefit of the city's Division of Youth Services, and recognizing the need for the whole family to receive mental health treatment. She talked about the ripple effect in our community when experiencing the loss of a young person and emphasized the impact that has on young people. She outlined what JTC will look like, a four-phased approach that will encompass the family. They recently hosted their first steering committee meeting, with 47 participants and partners. They concluded they need funding and they need the city's help.

Moloney talked about resources for youth programming and reaching them early. Referencing the effects of the coronavirus on the city's payroll tax, which often funds programs such as this, he suggested partnering with the school system, which has the talent and expertise to reach these young people. Moloney talked about contributing Neighborhood Development Funds and the city's current priorities to maintain payroll and pay our debt, concluding the schools need to do this. Moore-Murphy talked about the steering committee's 47 attendees, of which eight of those folks represented Fayette County Public Schools; she highlighted FCPS police chief Martin Schafer's immediate interest in the program and knowledge of what is needed. She said the school is the next step and they are working on making them a monetary partner.

Plomin asked about the anticipated operational budget. They don't have that yet but Moore-Murphy mentioned the amount used to start FMHC (\$150,000) for reference. To start, the funds will be for the salary of one person. Moore-Murphy pointed out JTC would be the first program of its kind. Landon explained that JTC has different regulations than adult mental health court, specifically how individual treatment plans are necessary for each child. He said this is the component of the program that spreads the cost around; portions of these plans are typically reimbursed by the federal government or the school system, depending on the services the child needs and is entitled to. He said you need a coordinator to monitor progress for all the individualized treatment plans. Plomin said there are a lot of other resources out there, including family foundations, and she is willing to help them identify

additional funding sources. She recalled her earlier work with United Way's Success by 6 and the importance of early childhood environments.

Lamb said with presentations such as these, the council has the opportunity and ability to expand people's knowledge of the resources out there. She said she would like these items to remain in the committee. J. Brown talked about the judges being innovative to address some of the issues that face us. He and Lamb discussed referring to the financial part of these requests into the Budget, Finance, and Economic Development Committee because that is likely where the council will discuss the coronavirus relief funds. Lamb said she would like the committee to hear regular updates from JTC, similarly to FMHC.

A motion was made by J. Brown to refer the financial requests for the Fayette Mental Health Court program expansion and the Juvenile Treatment Court to the BFED Committee to be considered when the committee discusses coronavirus relief funds, seconded by Farmer. The motion passed with a 7 - 3 vote (Kay, J. Brown, Lamb, Farmer, Higgins-Hord, Reynolds, and Plomin voted yes; Moloney, Ellinger, and F. Brown voted no).

Discussion on the motion included the following. Moloney expressed concerns about the designation of relief funds as it relates to the economic contingency fund. He eluded to opening the door for a wave of requests from other non-profits.

Lamb said August 25 is the next BFED Committee. She reminded the committee that the Council Rules & Robert's Rules Review Subcommittee is meeting August, 13 at 3:30 p.m.

V. Items Referred to Committee

No comment or action was taken under this item.

A motion was made by Farmer to adjourn (at 2:42 p.m.); seconded by Plomin. The motion passed without dissent.

Link to video of the meeting: http://lfucg.granicus.com/MediaPlayer.php?view_id=4&clip_id=5182
HBA 9-3-20

PUBLIC COMMENT RECOMMENDATIONS

*Virtual Council Work Session
September 15, 2020*



LEXINGTON



Public Comment Opportunities:

- Public comment at regular meetings
 - Standing Committees
 - Council Work Session
 - Council Meetings
- Public comment at other “hearings”
 - Hearings required by law
- Public comment at Zone Change Hearings



Public Comment at Regular Meetings:

- Option 1:
 - Prohibit live comments
 - Require advanced submission of comments (written or video recordings)
 - Comments would be compiled and sent to council prior to the meeting for review
 - Comments would become part of the public record for the meeting
- Option 2:
 - Allow live comments with the following restrictions:
 - Require pre-registration (at least 24 hours in advance)
 - Required to supply name and address (clearly fake names not allowed)
 - Potential additional restrictions:
 - Limit number of people allowed to speak
 - Limit time for public comment (would also limit number of speakers)
 - Limit amount of time an individual may speak (currently limited to three minutes)
 - Cons:
 - No way to ensure disruptive individuals would not access the meeting and engage in inappropriate/offensive comments
- Option 3:
 - Allow unrestricted comments
 - Cons:
 - Technology does now allow for screening speakers in advance
 - No way to ensure disruptive individuals would not access the meeting and engage in inappropriate/offensive comments



Public Comment at other “hearings”:

- “Hearings” required by law, referred to as “hearings” but public participation is more similar to public comment
 - Examples:
 - Petitions to move tax districts
 - Mayor’s Proposed Budget Hearings
 - Urban Service Changes
- Due to the nature of these “hearings,” the same process outlined for public comment at regular meetings could be used.



Public Comment at Zone Change Hearings:

- Hearings at which the public has a right to speak
- Would not be appropriate to require advance submission of comments
- May require pre-registration
 - Requiring pre-registration would help ensure a smoother meeting
 - In the event that a zone change hearing is scheduled, it should allow adequate time to hold a couple of practice runs.
 - Planning has conducted zone change hearings and can offer insight
 - Cons:
 - No way to ensure disruptive individuals would not access the meeting and engage in inappropriate/offensive comments



Questions?